



## FACTS ABOUT EAST TENNESSEE.

NO. XC.

## MANUFACTURING IN THE SOUTH.

We publish elsewhere a very valuable article on the comparative cost of manufacturing cotton yarns and sheetings in the South and North. The figures are given in detail, and show very clearly that there is an immense saving in the manufacture in favor of the South. The figures and facts stated in that article apply with slight modifications as well to most other branches of manufacturing. The comparative cost of living in the South and North is as true in case of miners and machinists as of cotton spinners. The fact is that this feature of life in the South can only be appreciated by those who have experienced a colder climate. The extreme cold and protracted winters of the North are not only far more trying upon the health of workingmen than the long summers of our latitude, but the difference in the length and severity of the winters make a marked difference in the cost of living to the workingmen. The difference actually necessary in the construction of the home, the difference in fuel needed to warm the house, the difference in the amount of food for the family and the cost of wintering a horse or cow, are all items which in the course of a life time will tell to a very large sum. We can not but feel that we could all upon Northern winters who have lived in Knoxville for three years and secure statements from them on this point that would be surprising. These are advantages we say that apply to most manufacturing enterprises. In the case of cotton manufacturing in South Carolina the advantages are not greater than in iron and wood shops in East Tennessee. We have in these great staples as many advantages over most sections of the North as South Carolina has in cotton over Massachusetts or Rhode Island.

These facts speak loudly in favor of the South. They are not in themselves, however, tempting enough to revolutionize the cotton or iron manufactures of the North. Millions of dollars are invested in spindles on the bleak shores of New England, and in iron mills in the States of the North. It will take strong natural advantages backed by strong effort, to overcome the influences these gigantic interests exert. The South will eventually gain much in these respects if proper efforts are made. We can not do it, however, by simply pointing to our advantages. The "yankee" is credited with being ambitious to make money. We suppose he is. That very ambition causes him to look back of the advantages we have noticed. He knows that public schools, small farms, lands at reasonable prices, good public roads, and a liberal, progressive public sentiment are essential to make superior natural advantages worth what we claim for them. We can add these inducements very easily and when we do it, immigration will come and with it manufacturing and general prosperity.

## OUR MANUFACTURING INTERESTS.

## The Knoxville Keg Factory in Full Operation.

This new enterprise is now fairly under way, and we can do nothing less than predict for it a grand success. Mr. D. R. Samuel, the proprietor, is a man of untiring energy, which is one of the pre-requisites to success in any business. As a matter of course—his hands all being unskilled in the use of the various machines—his operations at the beginning must necessarily be rather on the small scale. For instance, he now works about ten hands, who turn out only 150 kegs per day, when the same number of hands, when properly trained, can easily turn out 400 kegs per day—nearly treble the amount they now make. His machinery works splendidly, with a capacity of preparing the material for at least 500 kegs per day with perfect ease. His large circle saw is not in running order as yet, but will be in a few days, when he can take a large log, saw it up into blocks for staves and blanks for bottoms and tops. These blocks are taken and put to a saw which has just the shape of a keg, and which saws out the staves in perfect shape, when they pass through another saw to straighten the edges and afterwards through a machine which cuts them into proper lengths and cuts the grooves for the bottoms and heads. The blanks are cut into square pieces by another saw, after which they pass through another machine which rounds and tongues the heads almost in the twinkling of an eye. An ordinary hand, with but little experience, can turn out at least 1,000 heads in a day, with perfect ease, while an expert hand can turn out nearly double that amount. His belt saw, for scroll work, etc., works admirably, as also does his planer. In fact, every department is in complete running order, showing that a man who thoroughly understands his business, superintending the putting up and the general arrangement of machinery.

Mr. Samuel, as soon as he can get satisfactory assurance of obtaining the tub and bucket trade of this country, will add new machinery, and in connection with his keg factory, will go largely into the manufacture of these useful and indispensable articles. He says he knows that he can make and sell them cheaper than they can possibly be purchased North, from the simple reason that he can get the material cheaper here, and that he can employ laborers here for less money than they can be had at in the North. This is no idle talk. There are thousands of dollars sent off yearly for these articles, which should, and we hope and trust, will be kept here in the future. The raw material is to be had in abundance here and can be obtained much cheaper than in the North; then why not manufacture these articles and let this community reap the benefit of the profit there is in this line of trade? We hope Mr. Samuel will receive all the encouragement possible from our merchants.

## BY TELEGRAPH.

## NORTHWESTERN RAILROAD TRAINS SNOW-BOUND.

Mrs. Woodhull and Claflin Indicted for Libel in New York.

A \$95,000 Church Fire in New York.

The Mississippi Blocked with Ice Above Memphis.

Suspension of the New Orleans Times.

Emancipation of Slavery in Porto Rico Proposed.

## HOME NEWS.

Summer's Battle Flag Resolution Condemned.

Boston, Dec. 19.—The House of Representatives to-day, by a vote of 104 to 70, passed resolutions condemnatory of Senator Sumner's bill introduced in the United States Senate to remove all inscriptions relating to rebellion from army, registers and national regimental flags.

The Senate passed the resolutions by a vote of 20 to 9.

New York, Dec. 19.—The *Herald* publishes twelve columns about Cuba.

There are 12,000 Cubans under arms. They have plenty of ammunition but lack guns. Had they guns 40,000 could be placed in the field.

The struggle will be prolonged unless outsiders interfere.

S. L. Barlow states that the Erie Company will compromise with J. Gould upon a basis of \$9,000,000.

## Cold Weather in the North West.

St. Joseph, Dec. 23.—There is a fearful wind prevailing, and it has been snowing for the past two days. The thermometer ranges from six to twenty degrees below zero. There are five engines and four trains weather bound at Stevensville and Hager.

Milwaukee, Dec. 23.—The weather is the severest known for years. Thermometer here at noon stood twenty degrees below zero. A number of ears and toes were frosted.

New Orleans, Dec. 22.—Judge Alexander Walker and E. C. Hancock, associate editors of the *New Orleans Times*, will issue a new paper to-morrow.

The *Times* suspension, in New Orleans, causes a general expression of regret.

Boston, Dec. 23.—A fire on Washington street and in the vicinity of Temple Place destroyed \$75,000 worth of property.

New York, Dec. 23.—A fire in the Central Presbyterian Tabernacle originated from a flue. A strong gale of flames swept around the ceiling. The corrugated iron supports of the walls curled up. The mammoth jubilee organ was burned. The church was built in 1871. It was capable of seating 4,000 persons. Total loss \$95,000. Insurance \$3,000.

The *Herald* says editorially that Horace F. Clark, President of the Union Pacific Railroad, has been instructed to commence suit for eighteen million dollars distributed among those connected with the Credit Mobilier.

Wm. Orton has sold fifty shares of the *Tribune* to Whitelaw Reid. Orton retains one share. It is agreed that Orton shall be elected as one of the trustees of the association.

The thermometer at midnight was 6° above zero.

Richmond, Dec. 23.—The bark Noah Ann left to-day for Rio Janeiro with 4,300 barrels flour.

The twenty-five destitute Italians from New York, arrived here to-day.

Woodhull & Claflin have been indicted for libel by the grand jury.

Stokes' trial attracts an immense crowd. The Federal Court affirmed the verdict against Lillenthal & Co., for \$104,000, for violation of the revenue laws regarding tobacco.

Evansville, Ind., Dec. 23.—Yesterday was the coldest day since 1864. The mercury was 10° below zero.

Cincinnati, Dec. 23.—The ice at Newport bridge broke and 80,000 bushels of coal are lost. The steamers escaped.

Memphis, Dec. 23.—The river is virtually closed, and above this point the ice is heavy.

## CONGRESSIONAL.

Proceedings of the Second Session of the Forty-Second Congress.

WASHINGTON, D. C., Dec. 19.

## SENATE.

In the Senate to-day the Postal Telegraph Bill was reported on favorably. Also, the bill relating to the manufacture, importation and sale of intoxicating liquors in the District of Columbia and the territories. The bill to pay postmasters and clerks who afterwards engaged in the rebellion, was reported on adversely. The French spoliation business occupied the day.

## HOUSE.

The House adopted a resolution of inquiry into a combination to lock up money and to produce financial tightness. The Banking and Currency Committee reported a bill for that purpose, which was recommitted.

A bill to pay the expenses of the Commission on Mexican Depredations was passed.

The Committee on Banking and Currency were instructed to report some measures whereby to prevent the locking up of gold and currency.

The amendment giving one million and a quarter to Washington was passed.

## FOREIGN.

## Abolitionist Active in Spain.

MADRID, Dec. 19.—The *Imperial* says that the reconstruction cabinet can not be delayed.

The Republicans in Cortes have resolved to support the vote of confidence only on condition that the Government declares unequivocally in favor of the immediate abolition of slavery in the Spanish dominion.

PARIS, Dec. 19.—Gen. Chansey's corps is being rapidly increased to 10,000, while Gen. Ducrot, a doubtful Republican, has only 4,800 men under his command.

Thiers to-day said he intended to keep the Monarchists in awe.

## High Water in England.

LONDON, Dec. 20.—The recent heavy storms have swollen the streams throughout England to a great height, and several of them have been out of their banks. The Windsor, Eaton, Trent and its affluents, Loar and Dorwent Rivers have overflowed their banks, submerging a large portion of the country in Leicester and Nottingham counties. In some sections of these counties only the tops of the trees and hedges are visible. Heavy land slides have occurred near Dover, and railway communication with that town is interrupted. The town of Peterborough, in Northampton county, is flooded, and many of the residents have been compelled to take refuge from the water in the upper stories of their dwellings.

A dispatch from Liverpool says 449 persons, including passengers and sailors, have perished by marine disasters during the past ten days; 30 persons were lost by the sinking of the ship *Matchless*, of Northumberland county.

## Damage on Sea and Land.

LONDON, Dec. 21.—It is feared the steamship *Shannon* from Montreal for Hull, foundered. The *Osprey* from Quebec has arrived and reports heavy weather. A carpenter was washed overboard. The river Call is overflowed. The vicinity of Cambridge is a swamp. Brookside and Pynesburg are flooded. The estimated fall of water is 5,000 tons.

The breakwater at Wick, Scotland, was seriously damaged by the storms.

PARIS, Dec. 21.—The flood in the Seine is subsiding.

## Thirty Men Drowned at Sea.

MADRID, Dec. 23.—The bill emancipating slaves in Porto Rico was read in the Senate to-day.

PARIS, Dec. 23.—The Liverpool packet *Germania* is ashore in the mouth of the River Gironde. The passengers took to the rigging, from which thirty were washed and drowned. The remainder were rescued by a French steamer.

## WASHINGTON.

WASHINGTON, Dec. 23.—Col. Orr, Minister to Russia, is here for instructions.

The Secretary of the Treasury to-day issued a circular letter, notifying attorneys and agents doing business for others at the department, that hereafter the department will recognize the authority of the principal to revoke or annul any power of attorney that may have been given to such agents or attorneys, and that the draft for the process of any claim that may be allowed will be remitted or delivered to the principal unless he shall have given authority in writing for its delivery to an agent or attorney, which authority shall not have been annulled or impaired by any adverse act of the principal at the time when the draft may be ready for delivery. This order does not interfere with the circular letter of the Second Controller under date of April 25, 1867, and printed as form No. 4.

## Interesting Action of the Nashville Bible Society.

For the Knoxville Chronicle.

NASHVILLE, TENN., Dec. 17, 1872.

MESSRS. EDITORS: Last night the Nashville Bible Society, at the anniversary meeting of its fiftieth year, passed the resolution below, and which may be of interest to many of your readers:

Resolved, That as an appropriate celebration of its fiftieth anniversary, the Society endeavor at once to raise the sum of three thousand dollars, of which five hundred shall be added to the permanent fund of the Society, five hundred donated to the Parent Institution, and two thousand used in the great expending work of the Society.

2. That in view of the fact that while a very few of the churches have uniformly and promptly responded to the calls of the Bible cause as represented by this Society, others have contributed irregularly and others have made no offerings, applications for contributions be made to individuals.

3. That while the emergencies of its important work will not permit the Society to rely on the hitherto great uncertainty of congregational collections hopes are entertained that churches which have regularly given to the cause will continue to be faithful and will increase in their liberality, and that this noble example will soon be emulated by every congregation in the city in a way worthy of the high Christian character of this community.

Resolved, That the first Saturday of May be set apart as a day of special commemoration and a semi-centennial celebration of this Society, and that the officers of the Society be instructed to arrange for said meeting, and also report as far as possible the history and work of the Society for the past fifty years.

To-day the first man whom I approached for contributions subscribed \$100—the third set down his name for \$150, to go directly to the Parent Society, the subscriber being a gentleman long identified with the Nashville auxiliary and its work and with the Southern Church.

May these noble examples not be lost on those of your readers who are equally well disposed to the great interests concerned.

C. W. WILEY.

Agent N. B. S.

## A VERY IMPORTANT DECISION.

The Constitution of 1870 provides that "no corporation shall be created or its powers increased or diminished by special laws; but the General Assembly shall provide by general laws for the organization of all corporations hereafter created," etc. Art. XI, Sec. VIII. In accordance with this provision the last legislature passed a general law, vesting in the Chancery Courts of the State the power to organize corporations. Under this law a great many charters have been granted, and under them important business enterprises have been projected. Some months ago the *CHRONICLE* referred to these charters and made some suggestions in answer to an objection that the courts referred to had no power to create corporations. The practice in the various chancery divisions of the State in granting charters has varied and the extent of the power of the Chancery Courts in the premises been misunderstood. We notice in the *Nashville Banner* the report of a decision of Chancellor W. E. Cooper, in re of the petition of citizens of Nashville for a charter for a manufacturing company. In the petition a decree is prayed for, which, in detail, enumerates the specific powers desired. In noticing this application the Chancellor says:

"The petition goes upon the idea that the Court of Chancery is clothed with the power to grant charters of incorporation in precisely the same way, and to the same extent, as the Legislature itself could do, and was in the habit of doing previous to the adoption of the new Constitution of 1870. The impression seems to prevail that the persons desiring to be incorporated, are at liberty to fix up a charter to suit themselves, and to call out from the provisions of the Code and from former acts of incorporations such rights and privileges as they may think will best answer their purposes. Neither the Legislature nor the Court is supposed to have any voice in the matter.

It is obvious that it becomes a question of serious importance to know whether this practice is correct. For, if it be not, such charters are, even if decreed by the Court, clearly void, and will be no protection to those who become parties to the association. The stockholders, in that event, instead of being members of a corporation, and liable only to the extent of their stock respectively, are, in fact, partners in a joint stock company, and each is liable for the whole debts of the association, as in the case of ordinary partnership. I propose, in these, the first applications brought before me, carefully to examine the subject, and to see whether the general impression which seems to prevail, outside of the profession certainly, and to some extent, inside of it also, is well founded. If it be, then the State is in the anomalous position, that whereas before the new Constitution it had one Legislature to grant and regulate charters of incorporation, it now has, under a constitutional provision that was intended to prevent the formation of corporations with special charters, twelve Legislatures, there being that number of Chancery Districts, authorized to grant charters of incorporation, either according to the wishes of the applicants, or the unlimited discretion of the Chancellor for the time being. Such a condition of affairs is somewhat startling to say the least of it, and could scarcely have been in the contemplation of the members of the Constitutional Convention of 1870.

The Chancellor then considers the constitutionality of the law in the light of former decisions:

On the 26th day of February, 1856, under the State constitution of 1834, the Legislature undertook to clothe the Circuit Courts of this State with authority to grant private charters of incorporation by an act published as ch. 254 of the printed acts of that session of the General Assembly, and entitled "An act to authorize the formation of companies, and regulate private and local affairs, and retrench the expenses of legislation." This act did expressly undertake to do what it is now supposed has been done under the new constitution. It provided that any number of persons, not less than three, might "associate themselves together for the purpose of pursuing or carrying on any branch or branches of manufacturing, mining, mechanical, chemical, or other business; for promoting education, science or art; for erecting ferries or mill dams; for establishing insurance, fire, savings, navigation, commercial, or agricultural business; or any other pursuit, business, or occupation, by calling, which may be lawfully carried on, or engaged in, in this State, or private, social, public or municipal purposes." The act further expressly provided that the persons desiring to be incorporated might file a petition in the Circuit Court, "where the company is located or kept," setting forth, among other things, "the powers, duties, liabilities, rights and privileges" urged, and if it should appear to the Court these provisions were not repugnant to the provisions of the act, or to the Constitution and Laws of the State, and the United States, the Court was to order the company to be formed accordingly. If the Court could be clothed with legislative authority to create corporations, this act was certainly broad enough for all particular purposes.

This "extraordinary act," as it was very appropriately styled by Judge McKinney, came up for judicial consideration by our Supreme Court, 3 S. 434. It was there held, in an able and elaborate opinion, that the powers to grant charters of incorporation is vested by the Constitution of this State in the Legislature alone, to be exercised as a high and responsible trust, and only in cases where it may be

deemed expedient for the public good. That it is among the powers, the exercise of which is expressly reserved to the Legislature itself, and one which cannot be delegated. And, consequently, that the act in question, was unconstitutional and void.

The Chancellor then proceeds to consider the act of 1849, and says:

By the act of 1849, ch. 17, the Legislature of this State passed a general law for the incorporation of towns, cities and villages, pointing out the mode in which it should be done by petition to the County Court, and expressly defining and settling the powers and privileges granted to such incorporations. The validity of this act was brought in question in *Mayor and Aldermen of Morristown vs. Shelton*, 1 Head 24, the case of the *State vs. Armstrong* being principally relied on in support of the objections. But the court held that this was a misconception of the previous case. "That case," they say, "was correctly decided beyond all question. It was upon the act of 1856, ch. 274, by which the full and broad power to create corporations was given to the Circuit Courts, and was, therefore, held to be in violation of the constitution. Not so in this act. It gives the County Court no power on the subject but to record the petition for the benefit of a perfect and complete charter, and designates the boundaries to which it is to apply, that is, to prescribe the corporate limits of their town. It cannot add to or diminish the powers, privileges and immunities granted, nor make the least change of any kind in the charter. The legislative will is fully declared in the act, and nothing is left to the court but to locate and apply it to any community who may petition for it, and bring themselves within its provisions. This is very different from the act of 1856, by which the extent and character of the powers given, and the particular objects of the corporations were to be fixed by the Court, or rather, in effect, the wishes and desires of the applicants in this respect ratified by the Court. That was palpably in conflict with the Constitution as this is in conformity with it."

These two decisions cover the entire subject. An act of the Legislature, which undertakes to delegate to the courts the power of creating corporations is unconstitutional and void. While an act which defines the rights, powers and immunities of corporations, and leaves to the courts to "certain State officers" the duty of organizing, is valid.

Then, in applying these principles to the petitions under consideration, the Court says:

It follows from what I have said, that the prayer of the petitioners in these several applications cannot be granted as made. I have no power to incorporate the petitioners, in either case, with the specific provisions asked for. I can confer upon them no privileges other than those prescribed by the general law. Nor can I call out at the instance of the petitioners, some of the privileges conceded by the general law to the exclusion of others. I can not, to use the words of the court in *Mayor and Aldermen of Morristown vs. Shelton*, 1 Head, "add to, or diminish the powers, privileges and immunities granted, nor make the least change of any kind in the charter," as prescribed by the Legislature. To do so, would be to depart from the special authority under which I act, and would make the whole charter void. The petitioners must take the incorporation for the purpose of manufacturing in the exact words of the law, with all its restrictions as well as its privileges, "for better, for worse," and "may they live long and prosper."

If the Chancellor is correct in his opinion that in all cases where the Chancery Courts have granted decrees of incorporation giving specific powers, the charter is void, it may be of importance to persons now operating under such charters to examine into their condition. It may be worth considering, however, whether the charter is absolutely void simply because the Court exceeded its powers. The charter would certainly be void as to the provisions which the Court had no right to grant, but we have heard learned counsel suggest that it was questionable whether it would be entirely void. But the business interests of the State owe Chancellor Cooper thanks for his able opinion. Those interested in such questions will of course promptly see how the opinion affects them.

## Highway Robber Caught.

On yesterday morning a colored woman, who proved to be the wife of Lewis Harrison, the fellow who was implicated in the robbery of Larkin Burrell last Saturday night, the 14th inst., came to town and attempted to remove some furniture from the house where she formerly lived, but the police were quietly sent for by Amanda Mabry, discovering which the gentle Mrs. Harrison went for Amanda with a vim, which caused her arrest by the guardians of the law. She was taken to the calaboose and divulged the whereabouts of her husband, whereupon a warrant was issued by W. F. Yardley, Esq., when Sheriff Gossett and Policeman Kane procured horses and went to the place designated, near John Tinnell's about twelve miles from the city, and arrested Harrison, who was brought to town and lodged in jail. His case will be investigated to-morrow.

## Deserving of Credit.

It affords us pleasure to agree with the Lancaster, (Pa.) *Intelligencer*, that Gen. Grant, since his re-election, has given evidence that he is a better man than we had given him credit for, and most sincerely trust we will never again have occasion to censure him, believing that he is a man of kind heart and patriotic impulses.—*Abingdon Virginian*.